

ment of United States policy toward Cuba, is a pointed reminder of the critical problem which faces the United States in this hemisphere. This \$12 million deal will make it possible for Castro to get the Cuban transportation system going again. All of us know that Castro has been trying to obtain from various countries spare parts for the Cuban transportation system. He has tried to obtain them from the United States, through various intermediaries, including Mexico and other Latin American countries. However, in the past he did not have much success. Cuban transportation is largely based on equipment acquired from the United States. The recent sale of British buses to Cuba will make it possible for Castro to get the creaking Cuban transportation machinery going again. Not only was the sale made, but a 5-year credit was extended. This is tantamount to a program of foreign economic assistance, and certainly goes beyond the normal commercial terms of trade, particularly where Communist-bloc nations are concerned. There is increasing evidence that the French are also interested in expanding commercial activities in Cuba.

The British point to United States wheat sales to the Soviet Union and say, "If the Americans can sell wheat to the Russians at a heavily subsidized price, why can't we sell our buses to Castro?"

However, this is an entirely different matter, for neither the British nor any of our other allies have an economic boycott policy in regard to sales of non-strategic goods to the Soviet Union, whereas the United States and many Latin American countries do have this policy in regard to Cuba. Furthermore, our grain sales have been normal commercial transactions calling for 18 months credit—similar to that provided by Canada—whereas the extension of 5-year credit to a Communist nation indicates a new trend in trade that requires government backing.

The British action is largely the result of halfhearted and ineffective measures by the United States.

We have not succeeded in persuading anyone that the United States has a persistent and meaningful policy toward Cuba. For instance, Congress passed and the late President Kennedy signed a resolution declaring U.S. determination to prevent the export of terrorism from Cuba to other nations in this hemisphere. Yet, 2 months ago, a cache of Communist weapons was found in Venezuela, and it had been shipped to Venezuelan terrorists from Cuba. What has been done since that time? Absolutely nothing.

The OAS has incontrovertible evidence of Castro's interference in the domestic affairs of other Latin American States. Yet, no action has been taken. It is not surprising that our allies in Western Europe do not take American policies too seriously.

Mr. President, the time has come for the United States and our Latin American allies to make clear to the entire world exactly what our policy toward Cuba is and how it is to be implemented. Why should American firms give up lucrative business in Cuba so that our

British allies can reap the profits instead? This situation is intolerable; and it is the more so when American individuals and firms are taxed to provide to the British Government military assistance that permits such activity, and indeed encourages it, through Government backing for 5-year credit terms.

It is unfortunate, indeed, that while the nations of this hemisphere, as Venezuela has requested, are working to weaken Castro, our European allies are doing everything they can to strengthen him. Surely the time has come for the United States to put this issue squarely before all our allies, and to insist on a united stand against communism in the Western Hemisphere.

I hope very much that the President will grasp this renewed opportunity to urge emphatically a united policy on our free world allies.

SECURITY CLEARANCES IN STATE DEPARTMENT—THE OTEPKA CASE

THE PRESIDING OFFICER (Mr. Hruska in the chair). The Senator from Iowa (Mr. MILLER) is recognized.

Mr. MILLER. Mr. President, the Internal Security Subcommittee of the Senate Judiciary Committee has released previously classified hearing reports relating to the Otepska case—the latest release being this morning.

This unfortunate and completely unnecessary situation apparently grew out of a relaxing of security standards in the State Department through the use of an emergency clearance procedure in an alarmingly large number of cases. It is reported that such a procedure, which permits the granting of a security clearance without the customary full-scale investigation, has been used more than 150 times during the past 3 years—compared to only 5 or 6 times during the 8 years of the Eisenhower administration.

I can understand why an emergency clearance procedure might be followed on rare occasions, but I must say that I cannot comprehend such a widespread use in view of the especially sensitive nature of State Department operations. There are still a great many people who honestly believe that there are a good many Communists or Communist sympathizers on the State Department payroll. It is, of course, possible that there are a number of undesirables on the payroll of our various Government agencies. No matter how closely our clearance procedures are followed, some of these individuals are almost bound to get through. But of all times to relax our security investigations, this is the poorest. Not only is the danger just as great or greater, but the confidence of the American people in the integrity of their Government, and particularly in the State Department, is shaken.

If the Otepska case serves no other purpose, it should cause the Secretary of State to direct an almost complete elimination of these emergency clearances and a full-scale investigation of all of those persons who have heretofore been granted such a clearance—just to make sure that the relaxing of our security

clearance procedure has not resulted in any undesirables getting into the State Department. I believe a full report of such action should be furnished the Congress.

The reason why these previously granted emergency clearance cases should be given a full-scale investigation is because the record made by the Senate Internal Security Subcommittee demonstrates that some of the people involved in granting these clearances are untrustworthy.

Three individuals in particular gave false and misleading testimony to the subcommittee. Two of these have since resigned from the Department. I refer to John F. Reilly, former Deputy Assistant Secretary for Security, and Elmer D. Hill, former Chief of the Division of Technical Services, Office of Security. Instead of letting them resign, I think the Secretary should have had them fired. If he had had the benefit of the entire record, I believe he would have done so.

The record of Mr. Reilly's sworn testimony before the subcommittee appears in the hearings report for November 15, and I ask unanimous consent that portions of the report which I have designated be printed in the Record at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

STATE DEPARTMENT SECURITY

FRIDAY, NOVEMBER 18, 1966.

U.S. SENATE, SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL SECURITY LAWS, OF THE COMMITTEE ON THE JUDICIARY, WASHINGTON, D.C.

The subcommittee met, pursuant to notice, at 10:33 a.m., in room 2800, New Senate Office Building. Senator JAMES O. EASTLAND (chairman) presiding.

Present: Senators EASTLAND, JOHN L. MCCLELLAN, and THOMAS J. DODD.

Also present: J. G. Sourwine, chief counsel; Samuel J. Scott, assistant counsel; and Benjamin Mandel, director of research.

Senator DODD. Mr. Reilly, do you solemnly swear the testimony you give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. REILLY. I do.

Mr. SOURWINE. Do you believe, sir, that your statements, as initially given to the committee, when you testified on August 6 were and remain accurate?

Mr. REILLY. Yes. And may I simplify on that, please?

Mr. SOURWINE. Yes, go ahead.

Mr. REILLY. The series of questions that were asked me by Mr. Sourwine—and I am prepared, and I would like the opportunity to go through each one of them.

Mr. SOURWINE. You have that opportunity right here now.

Mr. REILLY. Yes.

I understood, particularly from the first question asked—it asked whether there had been compromise of conversations with a telephonic or room conversation of Mr. Otepska.

Mr. SOURWINE. Mr. Reilly, let me read you this question:

"Have you ever engaged in or ordered the bugging or tapping or otherwise compromising telephones or private conversations in the office of an employee of the State Department?"

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And you replied, "No, sir."
And I said, "You never did?"
And you said, "That is right."
Senator McCLELLAN. What page is that?
Mr. SOURWINE. I am reading from page 9 of our print, Senator.

Mr. REILLY. As I understood then, and now understand the question, I was being asked whether I had undertaken actually to intercept and compromise conversations, whether they be room or telephonic conversations. This had not been achieved. And it has not been achieved today.

Mr. SOURWINE. You have already contradicted right there.

The CHAIRMAN. Now, wait a minute. Have you ever engaged in or ordered?
Mr. REILLY. First, I did not engage in. And I don't mean that as a weasel word. The questioning that day—I think Mr. Sourwine will recall—

The CHAIRMAN. Had you ordered it?
Mr. REILLY. I did not order. And we did not compromise. That is my—I took the question as a whole, Senator.

The CHAIRMAN. Just what did you do?
Mr. REILLY. Well, I did ask Mr. Hill if he would undertake to find out if there was some feasible way, short of putting a device in Mr. Otepka's office.

I know perfectly well if such a technique were to be utilized, the chances of it being detected were great, and I didn't want that. I had not at that time determined if I would use such a system, if it were feasible.

But, at least, if the burn trash cover which I had ordered failed to produce anything, then I would have considered the possibility of that. I wanted to know if it were possible, without putting a device in his room, or putting a device in his telephone, to monitor his room conversation—not his telephone conversations. If that had been desired—I am not an engineer—but if that had been desired—

The CHAIRMAN. Why did you want to monitor his room conversations?

Mr. REILLY. Because I had reason to suspect that Mr. Otepka was without the authority of the Department and I believed without the knowledge of this committee, privately furnishing information to a member of the staff of this committee.

Mr. SOURWINE. Meaning me, Mr. Reilly?
Mr. REILLY. Yes, Mr. Sourwine.

The CHAIRMAN. Proceed.
Mr. SOURWINE. Mr. Reilly, do you distinguish in meaning between the words "undertake" and "accomplish"?

Mr. REILLY. Are you referring now to some specific question, Mr. Sourwine?

Mr. SOURWINE. I am just referring to the words, Mr. Reilly. I want to know how you understand them.

Do you see a difference between the words "undertake" and "accomplish"?

Mr. REILLY. Undertake means to me to start forth. Accomplish means to achieve.

Mr. SOURWINE. Yes.

Now, your own words a few moments ago included that word "undertake." And I understood what you said to mean that you felt you were being asked on August 6 whether you had undertaken the bugging or tapping or compromising of the telephone.

Mr. REILLY. Compromising, yes.

Mr. SOURWINE. And you said you had not undertaken it.

The CHAIRMAN. He said he ordered the monitoring—

Mr. SOURWINE. I understand, Senator.

The CHAIRMAN (continuing). Of private conversations.

Is that it?

Mr. REILLY. I said I did not order it, sir. I don't see—I am not trying to quarrel with you, Mr. Chairman.

The CHAIRMAN. I know you are not trying to quarrel with me. I am just trying to find out what you said.

Mr. REILLY. What I said was: I asked them—I asked Hill and he, in turn, asked Schneider to join with him to take a survey to see if there were some way, for possible future use that there could have been accomplished, without the placing in the room or in the phone of a device.

The CHAIRMAN. That was to monitor private conversations, wasn't it?

Mr. REILLY. I had not made a determination at that time that I would so utilize it, sir, and we did not so utilize it. And it was in that context that I answered the question Mr. Sourwine asked me that morning.

Mr. SOURWINE. May I proceed?

Now, let's get back to the question asked you here a moment ago, in which you answered and used the word "undertake."

Mr. REILLY. Might I have that answer read back to me, please?

Mr. SOURWINE. You don't remember it?

Mr. REILLY. I don't remember my precise words.

(The answer, as recorded, was read.)

Mr. SOURWINE. When you said you understood you were being asked whether you were undertaking it, did you comprehend that the question included ordering somebody else to do it?

Mr. REILLY. What I understood the question, sir, to mean is had we compromised whether I or others acting under me, had we actually compromised Mr. Otepka's conversations?

Mr. SOURWINE. Now, when is a telephone compromised—in the language used in the Department, in your office?

Mr. REILLY. In my mind, it is compromised when conversations are intercepted and divulged.

Mr. SOURWINE. Isn't it compromised when a device or connection is used in connection with that telephone by which conversations may be intercepted by an unauthorized person?

Mr. REILLY. Not in my mind, and not as I understood the question that day.

Mr. SOURWINE. You mean if the telephone of Senator McCLELLAN is tapped so that someone, if they put on the earphones, can listen to his conversations, that telephone is not compromised unless there is somebody there listening, and he is talking? Is that what you are telling us?

Mr. REILLY. That is what I am telling you. That is my understanding of the question, and it is in that vein that I so answered on that day, sir.

Mr. SOURWINE. You only compromise a telephone when you are actually listening to conversations?

Mr. REILLY. No. And when somebody has authorized it, sir.

Mr. SOURWINE. Has authorized what?

Mr. REILLY. The listening to the conversations.

Mr. SOURWINE. You mean you authorized the putting on of the tap or the device—you don't compromise the telephone until you tell somebody to use it?

Mr. REILLY. As I understand, the darned thing didn't work.

Mr. SOURWINE. We will come to that later, in just a minute.

Senator McCLELLAN. Was that your fault—that it didn't work?

Mr. REILLY. Well, in a sense, Senator McCLELLAN, perhaps it was, because I asked them to try to think of some system other than the ordinary systems.

Senator McCLELLAN. Why did you want something other than the ordinary systems?

Mr. REILLY. Because, as I had said earlier, I felt that the ordinary system—you would run a heck of a risk—

Senator McCLELLAN. Of being detected?

Mr. REILLY. Absolutely.

Senator McCLELLAN. What you are trying to do is do your best to compromise it without being caught. That was your objective, wasn't it?

That is what you just said.

Mr. REILLY. No. What I said, sir, and what I stand on, is that I had not authorized it. I merely wanted to find out if it were possible to do some system like this. I would then, at some later time, decide or not decide.

Senator McCLELLAN. Well, the whole object was to compromise it without being found out, wasn't it? That is what you wanted a survey made for, according to your own testimony—to get by with something.

Mr. REILLY. If I decided to utilize it.

Mr. SOURWINE. Just what did you suggest to them? What did you tell them you wanted done?

Mr. REILLY. I wanted them to explore whether it was possible, without the placing of a device either in the phone or in the room, to come up with some system that would pick up room conversation.

Senator DODD. You say you wanted to do it without a device? Is that what you said?

Mr. REILLY. Yes. It is my understanding that what was done in this instance was simply the repositioning of an existing wire within the telephone instrument.

Mr. SOURWINE. Isn't that a device for listening?

Mr. REILLY. I did not consider that the installing of a device. And I still don't, sir.

The simple repositioning of an existing wire.

Mr. SOURWINE. I see.

You used the words "install a device" because, I suppose, they were used in your questioning on August 6.

Mr. REILLY. That is correct. That is the way I understood.

Mr. SOURWINE. You now take the position this was not installing a device.

Did you know, when I talked to you on August 6—the committee was here, and these questions were asked—what we were trying to get at?

Mr. REILLY. May I tell you what I thought you were trying to get at, and still think you were trying to get at?

Mr. SOURWINE. Yes.

Mr. REILLY. That Mr. Otepka's conversations were in fact being compromised. And they were not.

Mr. SOURWINE. You did not think we were trying to find out whether you had ordered anything done to the telephone which would result in putting the conversations over that telephone in jeopardy, or in providing a listening device for the rest of the room?

Mr. REILLY. I did not think that you were asking whether we had ever considered or whether we had ever made any steps toward this, without authority to utilize such steps.

Mr. SOURWINE. Well, this question was asked:

"Did you tell Clarence Schneider to install an electrical device to compromise Mr. Otepka's telephone—"

"Mr. REILLY. No, sir.

"Mr. SOURWINE (continuing). So that all conversations in his office could be heard whether or not that phone was on the hook?"

"Mr. REILLY. No, sir.

"Mr. SOURWINE. Did you know this had been done?"

"Mr. REILLY. No, sir."

Mr. SOURWINE. That doesn't say that anybody listened. That says "was something done so that the conversations could be heard."

Mr. REILLY. I understood, and I still understand, sir, that you were asking me whether a listening device were placed in his phone or in his room.

Mr. SOURWINE. Well, now, what Mr. Schneider did was to create, within the phone, a device through which conversations in the room might be heard, isn't that true?

Mr. REILLY. No, I did not so understand the question.

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Mr. SOURWINE. Well, isn't that what Mr. Schneider did?

Mr. REILLY. Mr. Schneider did a simple thing. He moved a wire.

Mr. SOURWINE. All right. That is what he did. But the result of that was to transform that ordinary telephone mouthpiece receiver into a listening device, isn't that correct?

Mr. REILLY. If the thing had been—well, obviously it didn't because the thing fizzled.

The CHAIRMAN. Answer his question.

Mr. SOURWINE. The effect was to transform it into a listening device, wasn't it? How efficient that device might have been is another matter.

But what he did was the accomplishment of a standard technique for transferring a telephone mouthpiece receiver into a listening device. Isn't that right?

Mr. REILLY. Yes. But he did not install—the question asked me was: "Did I tell him to install an electrical device?" I did not tell him to install an electrical device, and he did not install an electrical device, sir.

Mr. SOURWINE. You don't think that what resulted from his tampering with the telephone was an electrical device?

Mr. REILLY. Not in my understanding of it. That is my understanding.

Mr. SOURWINE. I see. And you thought we were asking you about it within terms of this reserved understanding.

Mr. REILLY. I thought you were talking about one thing, the actual compromise. And it was within that framework that I understood all of the questions.

Senator McCLELLAN. All right. If we are not technical, let me ask you this question: Have you ever engaged in or ordered the bugging or tapping or otherwise compromising telephones or private conversations in the office of an employee of the State Department?

Mr. REILLY. I took that question as a whole, sir.

Senator McCLELLAN. I want you to take it as a whole, and then each part of it, and tell me how you can now say that you were honest with the committee, that you were candid with the committee, even though you say you were on cross-examination, and that you told the committee the truth, when you answered that question "No, sir."

Mr. REILLY. First, I understood the question to mean the actual compromising of conversations.

Senator McCLELLAN. It says, "ordered." It didn't say you had to accomplish it at all. You know what giving an order is.

Mr. REILLY. Well, first, I did not order that any conversations be compromised.

Senator McCLELLAN. It is "or otherwise compromising telephones." Now, the telephone was compromised when it was rigged so that it became a listening device.

Mr. REILLY. I did not so understand the question at the time—in the framework. I understood that Mr. Sourwine was endeavoring to find out whether or not we had compromised. And he says, "or otherwise compromised." Therefore, I take that the earlier—

Senator McCLELLAN. You got technical here and say, "We didn't use this system, we didn't use that, I was having them experiment on another system."

That is what you are saying. So, obviously, you understood the meaning of this question, "or otherwise compromising" meaning using any other device, or any other arrangement out of a survey or without a survey, as the case may be, that brought about the compromising of that phone.

Mr. REILLY. No. I understood, and I now, in seeing the print here—"compromising telephones or private conversations"—I thought it was compromising telephonic or compromising conversations.

Senator McCLELLAN. Well, it was your intention, then, when you testified here be-

fore—and you made every effort to withhold from the committee everything that you possibly could—by answering the questions just as narrowly, to as limited an extent as you possibly could at the time, and still satisfy the committee?

Mr. REILLY. I did not volunteer additional information that I felt was outside the precise scope and phraseology of the questions.

Senator McCLELLAN. What is your position down there—what are some of your duties in the position you occupy—to protect the security of the country, is that right?

Mr. REILLY. Yes, sir.

Senator McCLELLAN. In doing so, don't you have to frequently interrogate people?

Mr. REILLY. Yes, sir.

Senator McCLELLAN. If you—

Mr. REILLY. Not I personally, sir.

Senator McCLELLAN. Well, you are head of the division, you supervise it.

Mr. REILLY. That is correct.

Senator McCLELLAN. Had you, or one of your subordinates under your direction, interrogated somebody on the same facts and circumstances, and had the same questions been asked in the pursuit of your duties, and those working under you, and you had gotten the same answers from a suspect, wouldn't you agree with me that he was lying at the time?

Mr. REILLY. No, sir, I would not agree with you that he was lying at the time. I would say that he had not answered—

Senator McCLELLAN. Truthfully?

Mr. REILLY (continuing). Fully, sir. He did not volunteer anything that was not asked.

Senator McCLELLAN. Now, then, let's give you every latitude here that you are claiming, and let's for the moment just agree that it is legitimate—if anybody can stretch it that far—the position you took.

Is the Congress now to assume—congressional committees—that when we have a State Department employee down here, we have got to cross-examine him up and down, crosswise, and otherwise in order to get the truth out of him, because here is an example of how they will withhold and how technical they will be when they appear before a senatorial committee?

Mr. REILLY. No, sir.

Senator McCLELLAN. Is this a fair example of what we are confronted with when we call on people in the executive branch of the Government, particularly the State Department, to come up here and testify and tell us the truth?

Mr. REILLY. No, sir. I don't think that is a fair example.

Senator McCLELLAN. Why isn't it?

Mr. REILLY. I don't think that that is done customarily, sir.

Senator McCLELLAN. Why did you do the uncouth thing?

Mr. REILLY. Because this was at the end of a rather grilling, grueling, 2½-hour session. I think Mr. Sourwine and I had engaged in a few sharp comments back and forth, regrettably.

Senator McCLELLAN. Well, the committee just wanted to get the facts. And you admit now you withheld the facts from them, did you not?

Mr. REILLY. The committee, as I understood it, sir—

Senator McCLELLAN. You know the committee wanted to get the facts.

You don't mean to say you didn't have that much intelligence when you came down here, to know that the committee wanted to get at the truth of this thing. You knew that didn't you?

Mr. REILLY. Senator—

Senator McCLELLAN. Well, say you did or did not. You can say yes or no, whether you knew that.

Mr. REILLY. I thought that the committee felt that Mr. Otepka's telephone and his

room conversations were being compromised. I wanted to make it clear—

Senator McCLELLAN. All right. They wanted to get the truth.

Now, you didn't tell them the truth, did you? You did not tell the committee the truth the day you testified when you gave those answers, did you? Honestly. Just lay it on the record. Did you? I want to know if you will contend now that you told the truth then.

Mr. REILLY. I answered those questions truthfully; yes, sir.

Senator McCLELLAN. Did you tell the committee the truth that day—the whole truth and nothing but the truth—as you took an oath to do?

Mr. REILLY. As I said, sir, I considered the question in the nature of cross-examination. I answered the questions as I understood them. I did not volunteer anything beyond that.

To the extent that that—

The CHAIRMAN. You didn't give all the information you had. That is what you are saying.

Mr. REILLY. Nor did I think that it was required by the questions asked me, Mr. Chairman.

Senator McCLELLAN. Let me ask you this: If you had a witness that you interrogated on a matter of security down there, that would be as evasive as you have been, would you regard him as cooperating with you?

Mr. REILLY. I feel that I have cooperated with you today, and I feel that is why I filed the statement with you.

Senator McCLELLAN. Well, if you cooperated today, do you say then by that, do you imply you did not cooperate the other time you were here?

Mr. REILLY. I didn't cooperate as fully as I might have, and as I say, I apologize, I regret it.

Mr. SOURWINE. Mr. Reilly, you said a moment ago "That is why I filed the statement," meaning you filed the statement because you wanted to cooperate with the committee?

Mr. REILLY. Yes, and I did not want—

Mr. SOURWINE. You did not want what?

Mr. REILLY. I did not want further misunderstanding to exist between the committee and myself.

Mr. SOURWINE. Mr. Reilly, isn't it a fact that you were told that the Secretary of State wanted you to file a statement?

Mr. REILLY. Yes.

Mr. SOURWINE. Isn't that why you filed it? Mr. REILLY. But I was not compelled so to file it, sir.

Mr. SOURWINE. You are an employee of the Department of State.

Mr. REILLY. Yes.

Mr. SOURWINE. The Secretary's expression of his wish with regard to your action is about as compelling as anything, short of physical force, isn't it?

Mr. REILLY. Well, the statement and the signature and the letter, sir, were wholly voluntary on my part. I did not feel I was being in any way coerced to do this, Mr. Sourwine.

Mr. SOURWINE. You had been told the Secretary wanted it done, and you did it, isn't that right?

Mr. REILLY. You can put it that way. But that still does not imply to me the Secretary said, "Reilly, do this."

Senator Dobb. Would you have done it if he did not say it? Would you have given us this statement, if the Secretary of State had not indicated that he wanted you to?

Mr. REILLY. When the letter or memorandum was delivered to the Secretary, and wherein the committee made the statement that it "knew the whole story," I felt certain it didn't know the whole story.

Senator Dobb. So you didn't tell us about it?

Mr. REILLY. So I did tell you about it. Senator Dodd. When?
Mr. REILLY. In this.
Senator Dodd. After the Secretary had told you to.
Mr. REILLY. He asked me to.

* * * * *
The CHAIRMAN. I know. But whose idea was it that you write a letter?
Mr. REILLY. It originated with the Secretary.

Mr. SOURWINE. Mr. Chairman, I have no further questions.

Mr. Hill is waiting.

The CHAIRMAN. Had you told somebody you had not given us the full information? Is that the reason the Secretary got you to write the letter?

Mr. REILLY. I explained to the Secretary what I have explained to you gentlemen today, yes.

Mr. SOURWINE. Personally, you mean, face to face you explained it?

Mr. REILLY. No.

Mr. SOURWINE. You discussed with him the testimony you had given, and what the facts were?

Mr. REILLY. And my understanding of the questions.

Mr. SOURWINE. When did you do this?

Mr. REILLY. It was some weeks back.

Mr. SOURWINE. It was some weeks prior—

Mr. REILLY. Two weeks or so ago, give or take—

Mr. SOURWINE. It was 2 weeks or so before the colloquy on the Senate floor between Senator Dodd and Senator THURMOND?

Mr. REILLY. It was prior to that, yes.

Senator Dodd. It was after the Secretary received the memorandum from the committee?

Mr. REILLY. That is correct, sir.

Mr. SOURWINE. But you received no instructions or suggestions that the Secretary's desire was that you should write a statement and give it to the committee?

Mr. REILLY. No. I immediately started to prepare a statement, sir.

Mr. SOURWINE. I am trying to find out whether, on the occasion of your discussion with the Secretary, about your testimony and what the facts were, he had then indicated to you his feeling that you should write a statement or a letter to the committee.

Mr. REILLY. Now, let me see. If he indicated to me, then, sir?

Mr. SOURWINE. Yes.

Mr. REILLY. Yes.

Mr. SOURWINE. He did?

Mr. REILLY. Shortly thereafter, within a matter of hours or a day or so.

Mr. SOURWINE. So that you had been told prior to the colloquy between Senator Dodd and Senator THURMOND, that the Secretary wanted you to send a supplementary statement to the committee?

Mr. REILLY. And I was drafting—

Mr. SOURWINE. You were working on it?

Mr. REILLY. I was drafting such a statement, yes.

Mr. SOURWINE. So when Mr. Ehrlich, on the night of the 5th, after the colloquy between the two Senators, in which perjury was mentioned, came to you or reached you by phone, and called you to his office for the purpose of completing such a statement and letter, it was no surprise to you?

Mr. REILLY. Oh, no.

Mr. SOURWINE. That wasn't the first time you had heard that the Secretary desired you to do this?

Mr. REILLY. No, no.

* * * * *
Mr. REILLY. One of my assignments was to find out if there had been people furnishing information?

Senator Dodd. To whom?

Mr. REILLY. If people had been, without authority, leaking information. It wasn't

a specific assignment. It was an assignment to make a good Office of Security.

Mr. SOURWINE. I thought the question was precise. The question is: Did you ever tell anybody that you had been put in the job to do a job on the Office of Security and that one of your assignments was to get Otepka?

Mr. REILLY. I don't think I ever said anything in quite those words, sir.

Mr. SOURWINE. Do you think you might have?

Senator Dodd. Wait a minute.

"Quite those words?" You know, we have to be awfully careful with you. We have learned the hard way, if we don't ask the right questions we don't get the right answers.

Mr. REILLY. I am not trying to weasel here. I am trying to recall, sir, if I might have made such a statement.

Mr. SOURWINE. Well, was it a fact that you had been assigned to the State Department position to do a job on the Office of Security?

Mr. REILLY. No.

Mr. SOURWINE. And one of your assignments was to get Otepka?

Mr. REILLY. Nobody said that to me.

Mr. SOURWINE. Anything of that nature? Had it been conveyed to you that it was desirable, and you were expected to achieve the elimination of Otepka from the job as head of the Division of Evaluations?

Mr. REILLY. No, sir, I had not been given any such instructions.

Mr. SOURWINE. Then you could not possibly have told anybody that that was the fact, could you? Why are you in doubt about it?

Mr. REILLY. I might have, in a personal conversation, made some semifacetious remark during the course of some very difficult events in the last year. This has not been an easy situation.

Mr. SOURWINE. You might have said something like that facetiously, you said?

Mr. REILLY. I might have, yes.

Senator Dodd. I think that is a rather grim way to joke, don't you.

Mr. REILLY. Well, I think it is rather grim, sir, also, when a person is appointed to a job and endeavors to get along with all of his subordinates, to find then that one of his subordinates has other plans.

Senator Dodd. Think what you told us. You were asked by Mr. Sourwine if you ever told anybody that you were assigned—in part—to get Otepka. Now, if you went down there to get him, he never had a chance to do anything to you. You were in operation from the beginning. Isn't that so?

Mr. REILLY. Yes. And I will say this. I entered my office on April 16, 1962, and it was my desire from the beginning to get along with any and all of the personnel there in the Office of Security.

Mr. SOURWINE. You are not confused between "get" and "get along with," are you?

Mr. REILLY. No, I am not. No, no. What I am trying to explain is that I made every effort—

Senator Dodd. Before you went on the job, did you know Otepka?

Mr. REILLY. I had never met him, sir.

Senator Dodd. Had you ever heard of him?

Mr. REILLY. Yes, sir.

Senator Dodd. From whom?

Mr. REILLY. I heard of him from my predecessor, Mr. Boswell, who, before I took over, briefed me on various of the personnel.

Senator Dodd. Did he tell you that he thought you should get rid of Otepka?

Mr. REILLY. He told me that he had found Otepka troublesome.

* * * * *
Mr. SOURWINE. You knew there had been, for some time prior to your entry into the Department, an effort to get Otepka out, is that correct? You knew that from Mr. Boswell?

Mr. REILLY. That is correct.

Mr. SOURWINE. And you were led to believe and did believe—is it true—that this was entirely on Mr. Boswell's own responsibility?

Mr. REILLY. That is my understanding, sir.
Mr. SOURWINE. When you continued the effort to get Mr. Otepka out, were you doing it entirely on your own responsibility?

Mr. REILLY. Yes, sir.

Mr. SOURWINE. I have no more questions, Mr. Chairman.

Senator Dodd. I have only one.

Mr. REILLY. Well, now, at the outset—the actions that were taken on June 27, when he was detailed—that was with the authority of Mr. Crockett, my superior.

Senator Dodd. Detailed—what do you mean by that?

Mr. REILLY. When he was detailed from his official duties as Chief of Evaluations to undertake a study.

* * * * *
Mr. SOURWINE. Have you talked with Mr. Crockett about this case since you got the evidence from the burn bag to which you have referred?

Mr. REILLY. I have, sir.

Mr. SOURWINE. Isn't it your impression from your talks with Mr. Crockett that Mr. Crockett is in sympathy with your efforts to get Mr. Otepka out?

Mr. REILLY. The efforts are not my efforts, sir. They are the Department's efforts at this point.

Mr. SOURWINE. Well, you told us a moment ago that you had undertaken this entirely on your own responsibility. Was that false when you told us that?

Mr. REILLY. No. I said the initial efforts. Now you are talking about the present efforts. I want to distinguish between them.

Mr. SOURWINE. I am trying to find out whether your present impression is that Mr. Crockett is in sympathy with the efforts which you originally undertook entirely on your own authority to get rid of Mr. Otepka.

Mr. REILLY. My answer to that is "Yes, sir."

Mr. SOURWINE. He has told you this in so many words, has he?

Mr. REILLY. Yes, sir.

Mr. SOURWINE. Has he told you that the Secretary's position was the same as his?

Mr. REILLY. He has not, sir.

Mr. SOURWINE. Has he represented to you that what he was saying was the view of the Department, or only his own view?

Mr. REILLY. That it was his view, sir.

Mr. SOURWINE. Do you regard the views of a superior, such as Mr. Crockett, to be the views of the Department?

Mr. REILLY. The Department—yes, the Department as a department, as an institution; yes.

Mr. SOURWINE. You think if Mr. Crockett tells you he favors something, you assume that means the Department favors it, is that correct?

Mr. REILLY. Well, he is my direct superior, sir; yes.

Mr. SOURWINE. You thereby assume the Department. Would you say what you have done in that line, that is toward getting Otepka out—since you talked with Mr. Crockett about this matter—has, therefore, been in pursuance to instructions of the Department—carrying out the wishes of the Department?

Mr. REILLY. I cannot say on that, sir. I think—

Mr. SOURWINE. I thought you had said—but maybe I am wrong—I thought you said it was the Department's effort.

Mr. REILLY. Well, I mean as opposed to simply the Office of Security.

Mr. SOURWINE. Yes.

Mr. REILLY. The Office of Personnel had to—had the responsibility for—

Mr. SOURWINE. Well, didn't you attempt to convey to the committee here, a few minutes ago, the idea that it is now the De-

partment which wants to get Otepka out? Not just you. That what you undertook initially under your own authority is now the effort of the Department?

Mr. REILLY. The Office of Personnel of the Department, which also is under Mr. Crockett.

Mr. SOURWINE. Are you carefully distinguishing so as not to carry it any higher than Mr. Crockett?

Mr. REILLY. Well, I very simply—the only instruction that has been given me today is not to get into anything bearing on the merits of the pendency of the Otepka case.

Mr. SOURWINE. Well, I don't think this goes to the merits. Leaving aside the question of whether that instruction is proper, I am only asking; you now about whether it is true—as I have been led to believe by what you have said here—that your understanding is that the Department of State, as a matter of policy of the Department, wants to get Otepka out.

Mr. REILLY. They want to give him the full proceedings to which he is entitled under the appropriate regulations.

Mr. SOURWINE. That is not the question.

Senator DODD. You sure you used the right word—full what?

I thought you said full proceedings?

Mr. REILLY. Yes, to follow under civil service proceedings.

Senator DODD. You didn't mean works?

Mr. REILLY. No, sir.

Mr. SOURWINE. Of course, to paraphrase the statement which was read to the press at a briefing on this matter: at that time it was stated—I boil this down a little bit—that the Department had affirmed the Department's charge against Otepka.

Mr. REILLY. Yes.

Mr. SOURWINE. And that Mr. Otepka has the right to appeal to the Department from the Department's affirmation of the Department's charges.

Mr. REILLY. Yes, sir.

Mr. SOURWINE. You know that to be true?

Mr. REILLY. Yes, sir.

Mr. SOURWINE. That being the case, do you have any doubt that it is the Department's present policy to try to get rid of Otepka?

Mr. REILLY. I think that is quite clear.

Mr. SOURWINE. I think it is quite clear, too.

Mr. REILLY. John Ordway has affirmed the initial findings, charges.

Mr. SOURWINE. You think he did that without the knowledge and consent of his superiors?

Mr. REILLY. I am quite sure he did not.

Mr. SOURWINE. Well, of course not. The Secretary knew about it, didn't he?

Mr. REILLY. I am not trying to quibble.

Mr. SOURWINE. You knew that the Secretary knew what was going on, and was in sympathy, didn't you?

Mr. REILLY. I don't know whether the Secretary has been fully briefed on the facts or not, sir.

Mr. SOURWINE. Well, you briefed him yourself on the Otepka case, have you not? Did you withhold information from him?

Mr. REILLY. I talked to him about this.

Mr. SOURWINE. You briefed him in full on the Otepka case before there was any discussion of a statement up here, did you not?

Mr. REILLY. I did not brief him in full. I haven't been in the man's presence that often. I have told him—

Mr. SOURWINE. How long did you spend with him, briefing him on the Otepka case?

Mr. REILLY. I would say not more than 3 or 4 minutes, sir.

Mr. SOURWINE. Just 3 or 4 minutes? Is that because he would not give you any more time?

Mr. REILLY. No. I don't know what—

Mr. SOURWINE. Because you told him all you felt he should know about it in 3 or 4 minutes?

Mr. REILLY. No, sir.

Mr. SOURWINE. Did you tell him all you thought he should know about it?

Mr. REILLY. I told him that I felt he was without authority of the Department furnishing information. That is my best recollection of what I told him, sir.

Mr. SOURWINE. Were you not called to the Secretary's office for the purpose of briefing him on the Otepka case?

Mr. REILLY. On what occasion, sir?

Mr. SOURWINE. On any occasion.

Mr. REILLY. Well, I honestly don't recall having been called to the Secretary's office specifically for that. I certainly have prepared briefing materials that went to Mr. Ehrlich for utilization.

Mr. SOURWINE. Have you prepared any briefing materials for the Secretary on the Otepka case?

Mr. REILLY. Not specifically as such. I have prepared briefing materials that I have turned over to others. Whether or not they went to the Secretary or not, I cannot say, sir.

Mr. SOURWINE. Were they intended to go to the Secretary, or expected to go to the Secretary?

Mr. REILLY. I thought they were going to go to the Under Secretary.

Mr. SOURWINE. That is Mr. Ball?

Mr. REILLY. Yes.

Mr. SOURWINE. Now, was that briefing inadequate? Were those briefing materials deficient in detail, or in statement of pertinent facts?

Mr. REILLY. I don't believe they were, sir.

Mr. SOURWINE. How can you then say the Secretary has not been properly briefed?

Mr. REILLY. I don't know what Mr. Ball has done with the material. I cannot speak for him, sir.

Mr. SOURWINE. But you have not briefed the Secretary adequately and properly yourself. Is that what you are saying?

Mr. REILLY. That is what I am saying.

Mr. MILLER. The record of Mr. Hill's sworn testimony before the subcommittee appears in the hearings report for November 18, just released today and clearly reveals the falsity of Mr. Reilly's testimony—not only at the time of his original testimony before the subcommittee but during his testimony on November 15. I ask unanimous consent that portions of this report which I have designated be printed in the Record at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

EXCERPTS FROM HEARINGS ON STATE DEPARTMENT SECURITY, MONDAY, NOVEMBER 18, 1963

FURTHER TESTIMONY OF ELMER DEWEY HILL, ACCOMPANIED BY SIDNEY SACHS

Mr. HILL. I should like to read it into the record. Thank you.

I, Elmer Dewey Hill, wish further to amplify statements which I have made concerning listening to telephone conversations on Mr. Otepka's office telephone.

In my testimony on July 9, 1963, and my letter of November 6, 1963, I stated that Mr. Schneider and I arranged telephone wires so that we could hear telephone conversations on Mr. Otepka's telephone. Nevertheless, on careful review of that testimony and letter, I feel that the implication is that, in fact, no such conversations were heard. I make this statement to correct such an implication.

In our testing of the arrangement which Mr. Schneider and I had made, over a brief period recordings were made of telephone calls on Mr. Otepka's telephone. They turned out to be of no consequence and were erased.

Senator DODD. Erased?

Mr. HILL. Yes, erased. When I gave my prior testimony and wrote the letter, I was under the impression, which I am now satisfied was erroneous, that, especially since no information of any consequence was obtained, my duty required me to speak and write as I did.

I now feel, however, that this reasoning was faulty and, accordingly, I have stated these facts explicitly to senior officers of the State Department, to whom I have submitted my resignation, and I am prepared to answer any further questions this committee may have.

Senator DODD. For the record, I think that I should say that I have been notified this morning of your resignation and, also, of the resignation of Mr. Reilly. I believe I was told that Mr. Reilly resigned this morning. And I so state for the record.

Mr. SOURWINE. Mr. Hill, when you testified on July 9, in response to the question, "Do you know of a single instance in which the Department has ever listened in on the telephone of an employee?" you answered, "I cannot recall such an instance."

In the light of your statement this morning, are we to understand that you did, at that time, recall the instance of listening in on Mr. Otepka's telephone, but that you felt it your duty to give the answer that you did?

Mr. HILL. Yes, sir.

Mr. SOURWINE. During the 2 days, over how long a total period—minutes or hours—was the terminal connection hooked up so that you could record or listen?

Mr. HILL. I believe that it was hooked up most of 1 day and part of the next day.

Mr. SOURWINE. During that time did you have individuals listening in?

Mr. HILL. I myself from time to time listened to it because I was concerned with trying to improve the system, checking its operations.

Mr. SOURWINE. Who else listened?

Mr. HILL. And Mr. Schneider, probably did.

Mr. SOURWINE. Did anyone else?

Mr. HILL. No, sir; I do not believe so.

Mr. SOURWINE. That is Mr. Clarence Schneider?

Mr. HILL. Yes, sir.

Mr. SOURWINE. How many different recordings were made of conversations?

Mr. HILL. How many different conversations were recorded?

Mr. SOURWINE. If you know, approximately.

Mr. SACHS. That is a different question—is that the one you meant?

Mr. SOURWINE. Well, I will take your phrasing.

Mr. HILL. Oh, I would say a dozen, perhaps more.

Mr. SOURWINE. Were these all conversations over the telephone, or were some of them conversations in the rooms that were not conducted over the telephone?

Mr. HILL. These were all over the telephone.

Mr. SOURWINE. What was done with those recordings?

Mr. HILL. Well, I believe that either I or Mr. Schneider gave the recordings to another individual.

Mr. SOURWINE. To whom?

Mr. HILL. I really do not know who that was. I will simplify it—it was not a person that I had any contact with, some stranger to me.

Mr. SOURWINE. Why did you give these recordings to someone who was a stranger?

Mr. HILL. Mr. Reilly's request.

Mr. SOURWINE. Mr. Reilly knew about these recordings?

Mr. HILL. Yes.

Mr. SOURWINE. Had he heard them?

Mr. HILL. I do not know whether he had heard them or not. I do know of one in-

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cident that he referred to, one telephone conversation. I do not know how this knowledge came to him, whether he listened to the recording or it was reported to him by another person who listened to the recording, but there was one telephone conversation which did seem interesting to him.

Mr. SOURWINE. He knew about at least one conversation?

Mr. HILL. Yes.

Mr. SOURWINE. Let me get at it this way: Did you tell Mr. Reilly about that particular conversation?

Mr. HILL. I believe I may have mentioned to him that there did not seem to be anything very interesting to him on this tape. However, there was one conversation that might be.

Mr. SOURWINE. Did you then tell him what that was?

Mr. HILL. Yes, sir; I believe I did.

Mr. SOURWINE. Do you see—just a little bit ago I understood you to say that you did not know how Mr. Reilly heard that conversation.

Mr. HILL. Well, if you understood what the conversation was, you would be able to appreciate how I could refer to it so as to identify it, but not divulge its contents.

Mr. SOURWINE. Is that what you did?

Mr. HILL. Yes, sir. As I recall.

Mr. SOURWINE. Your instructions with regard to the gimmicking of this telephone, did they come from Mr. Reilly or from Mr. Be-
lisle?

Mr. HILL. Mr. Reilly.

Mr. SOURWINE. Directly to you?

Mr. HILL. Yes, sir.

Mr. SOURWINE. Orally?

Mr. HILL. Yes, sir.

Mr. SOURWINE. You were asked on July 9: "Are these not normal security measures which in proper circumstances would be indicated and would be taken?"

And you stated: "I have never engaged in this—in that type of security measure."

The fact was that you had engaged in it; is that not true?

Mr. HILL. Yes, sir. I believe this was my obligation to the Department to do as I did.

Mr. SOURWINE. Yes.

Mr. HILL. To answer as I did.

Mr. SOURWINE. You were asked if the Office of Security had authority to do this, and instead of replying directly, you stated voluntarily: "I personally have not ever been requested to do such a thing."

The fact was that you had been requested to do it, had you not?

Mr. HILL. Yes, sir.

Mr. SOURWINE. You had been order to do it by Mr. Reilly?

Mr. HILL. Well, he actually asked me to undertake to look into how difficult it would be to do it. I do not think this should be lost sight of that, really, the telephone recording was an accidental, almost, byproduct of this attempt. The feeling on Mr. Reilly's part that—and it seemed pretty obvious to me at the time—that we were not going to get anything of much significance over the telephone because the telephone conversations would be guarded and fragmentary and what we should try to do, if we could, is to pick up room conversations, conversations taking place in the room.

Mr. SOURWINE. Then you were asked the next question, the second question that followed: "But you say your division has never done it, has never been called upon?"

And you answered: "We have never been called upon; no, sir."

The fact was that you had been called upon, had you not?

Mr. HILL. Yes, sir.

Mr. SOURWINE. All right, but you thought that you had to give that answer in order to comply with your obligations to the Department?

Mr. HILL. Yes, sir.

Mr. SOURWINE. And you were asked specifically:

"Did you ever have anything to do with tapping the telephone of Mr. Otepka, the Chief of the Division of Evaluations in the Office of Security?"

And you said: "No, sir."

Mr. HILL. Yes, sir.

Mr. SOURWINE. Of course, you knew at the time that you had modified this telephone?

Mr. HILL. I had modified the telephone. There is a technicality here.

Mr. SOURWINE. Well, you were aware of the technicality, were you not?

Mr. HILL. Of the technicality, being the distinction between tapping, which is a simple—much simpler thing to do—

Mr. SOURWINE. Yes?

Mr. HILL (continuing). And so-called bug-ging.

Mr. SOURWINE. Now this question:

"Did you ever have anything to do with placing a listening device in Mr. Otepka's office?"

And your answer: "No, sir."

As a matter of fact, you did have, did you not?

Mr. HILL. In the sense that the modification of the telephone was—

Mr. SOURWINE. Was a listening device?

Mr. HILL. Yes.

Mr. SOURWINE. Which was not in his office before you made the conversation?

Mr. HILL. Yes, sir.

Mr. SOURWINE. In your letter of transmittal under date of November 6 to your supplementary statement, you said: "I believe that my answers to these questions were correct." As a matter of fact, you knew that they had not been correct, is that true?

Mr. HILL. Yes, sir.

Mr. SOURWINE. I ask that this letter dated November 6, together with the attached statement be made a part of the record at this point.

(The letter dated November 6, with attached statement, follows:)

DEPARTMENT OF STATE,
Washington, D.C., November 6, 1963.
Hon. JAMES O. EASTLAND,
Chairman, Subcommittee on Internal Security,
Senate Committee on the Judiciary,
U.S. Senate.

DEAR MR. CHAIRMAN: A copy of my testimony before the Subcommittee on Internal Security on July 9, 1963, has recently been made available to me. Upon review of this testimony I have concluded that mention of an incident which occurred last March would serve to clarify my responses to Mr. Sourwine's questions concerning interception of conversations in Mr. Otepka's office. I believe that my answers to these questions were correct. I would like, however, to have the attached statement inserted in the record of my testimony in order that there be no misunderstanding.

If you approve my request I suggest that the statement and this letter be inserted at page 1107 of my testimony.

I enclose the copy of my testimony which was made available to me.

Sincerely,

ELMER DEWEY HILL.

"On Monday, March 18, 1963, Mr. John F. Reilly, Deputy Assistant Secretary for Security, asked me to explore the possibility of arranging some way to eavesdrop on conversations taking place in Mr. Otepka's office. Mr. Reilly explained to me that he would only consider such a technique if other investigative methods failed.

"Later that day, I discussed the technical aspects of this matter with Mr. Clarence J.

Schneider who, at that time, was serving as Chief of the Technical Operations Branch of the Division of Technical Services. We agreed on the approach to be used—modifying the wiring of Mr. Otepka's telephone instrument—and decided to return that evening to try the approach.

"That evening Mr. Schneider and I altered the existing wiring in the telephone in Mr. Otepka's office. We then established a circuit from Mr. Otepka's office to the Division of Technical Services laboratory by making additional connections in the existing telephone system wiring.

"Mr. Schneider and I tested the system and found we would be unable to overhear conversations in Mr. Otepka's office, except actual telephone conversations, because electrical interference produced a loud buzzing sound. (It was never contemplated that an attempt would be made just to monitor Mr. Otepka's telephone line in order to overhear conversations on it.)

"I reported our unsuccessful effort to Mr. Reilly the following morning. Mr. Schneider has told me that during that day he asked an officer in the Division of Domestic Operations of the Office of Security whether he had, or knew where to acquire, equipment which would eliminate such a buzzing sound. Mr. Schneider assured me that he did not discuss with the officer the specific application for which the equipment was needed. I also attempted during that day to obtain such equipment, but was unsuccessful.

"On the following day, March 20, Mr. Reilly informed me that I should not pursue the matter further because he had found the type of information he was looking for from an examination of Mr. Otepka's classified trash. Mr. Reilly directed me to disconnect the wiring connections which Mr. Schneider and I had made. That evening, Mr. Reilly, Mr. Schneider, and I met in the Office of Security. In the space of a few minutes, I removed the extra connections which Mr. Schneider and I had made in Mr. Otepka's telephone while Mr. Reilly and Mr. Schneider stayed in the hall outside Mr. Otepka's office.

"To summarize, for a 2-day period it might have been possible to intercept conversations taking place in Mr. Otepka's office if certain technical problems could have been resolved. These problems never were resolved and the wiring connections which were made were removed without any conversations having been intercepted."

Mr. SOURWINE. In your statement you said that Mr. Reilly had asked you to explore the possibility of arranging some way to eavesdrop on conversations, to be placed in Mr. Otepka's office, and then you said or you wrote, "Mr. Reilly explained to me that he would only consider such a technique if other investigative methods failed."

Did you understand that by that Mr. Reilly did not want you to hook anything up without further orders?

Mr. HILL. No, sir.

Mr. SOURWINE. All right, Mr. Hill. If I am wrong, correct me.

Mr. HILL. Mr. Reilly took the view that we were still trying to do what he asked us to do when the recorder was hooked up, and when these connections had been made, that we were in the process of making an attempt. Therefore, the go ahead on recording room conversations was never given. However, since during the course of the tests of all of the system and the equipment involved we did get telephone conversations, he did utilize telephone conversations. In effect, he had someone listen to them.

Mr. SOURWINE. Who did he have listen to them?

Mr. HILL. I do not know.

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Mr. SOURWINE. But he knew that you had set it up with sufficient success to report to him telephone conversations?

Mr. HILL. Yes.

Mr. SOURWINE. He knew that you had recorded them?

Mr. HILL. Yes.

Mr. SOURWINE. And he gave instructions as to the disposition of the tapes on which you had recorded them?

Mr. HILL. Yes.

Senator DODD. I can see that. It is clear now.

Mr. SOURWINE. You were, certainly, justified under those circumstances in assuming that he approved what you had done. You felt that you were doing what he wanted?

Mr. HILL. Yes, sir.

Mr. MILLER. The record of Mr. David I. Belisle, special assistant to the Deputy Assistant Secretary for Security, was released yesterday. It reveals that Mr. Belisle misled the subcommittee during his previous sworn testimony. Whether he committed perjury is for others to say. But in all charity, I must say that his testimony reveals such a complete lack of candor before the duly elected representatives of the taxpayers that he should be forced to resign. Neither the Congress nor the people it represents can have confidence in him any longer. His continuance on the Federal payroll will only cause continued criticism, bad feeling, and suspicion between the executive branch and the legislative branch of the Government.

Mr. President, I ask unanimous consent that portions of this report which I have designated be printed in the Record at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

STATE DEPARTMENT SECURITY

(Excerpts from hearings of U.S. Senate Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws, of the Committee on the Judiciary, Washington, D.C., Thursday, November 14, 1963)

The subcommittee met, pursuant to notice, at 10:35 a.m., in room 2300, New Senate Office Building, Senator JAMES O. EASTLAND, chairman, presiding.

Present: Senators EASTLAND, JOHN L. McCLELLAN, THOMAS J. DODD, EVERETT MCKINLEY DIRKSEN, ROMAN L. HRUSKA, KENNETH B. KEATING, and HUGH SCOTT.

Also present: J. G. Sourwine, chief counsel; Alan D. McArthur, associate counsel; Samuel J. Scott, assistant counsel; and Benjamin Mandel, director of research.

Senator DODD. Mr. Belisle, will you raise your right hand. Do you solemnly swear that the testimony you will give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BELISLE. I do.

TESTIMONY OF DAVID I. BELISLE, SPECIAL ASSISTANT TO DEPUTY ASSISTANT SECRETARY FOR SECURITY, DEPARTMENT OF STATE

Senator McCLELLAN. What I don't quite understand is: When you were here and testified and were being interrogated, you had the same knowledge and information then that you conveyed in the letter, did you not?

Mr. BELISLE. I had; yes, sir, but—

Senator McCLELLAN. Did you not know from the questions asked you that the committee was seeking information regarding those wiretaps and getting of testimony and information in that manner? You knew

that is what they were inquiring about, didn't you?

Mr. BELISLE. Yes, sir.

Senator McCLELLAN. Did you feel that in not disclosing what you had heard and what you had been told down there—did you not feel at that time that you were withholding from this committee information that it wanted and needed?

Mr. BELISLE. Senator, in my own judgment I did not consider that I was withholding any information, inasmuch as I felt that I had the information secondhand. It was hearsay information.

Senator McCLELLAN. It wasn't very secondhand from those who did it—told you they did it. That wasn't very secondhand, was it?

Mr. BELISLE. Hearsay.

Senator McCLELLAN. You don't regard that as secondhand, do you?

Mr. BELISLE. I regard it as secondhand; yes, sir. Hearsay.

Senator McCLELLAN. You mean if a fellow sits here and tells you, "I did a thing," tells you that, you regard it as secondhand and you felt the committee didn't need to know that he had told you that when you were testifying before?

Mr. BELISLE. Well, that was my judgment, sir.

Senator McCLELLAN. At the time—you mean that was your honest judgment at the time you sat there and testified?

Mr. BELISLE. That was my honest judgment at the time I sat here and testified.

Senator DIRKSEN. And you mean there was no discussion about the bug?

Mr. BELISLE. Oh, at that time, yes. He told me that we—that they had made the—studied the feasibility of getting this thing in there and the thing had fizzled. They got nothing but noise, and he pulled it out.

Senator DIRKSEN. Then he did tell you that a bug was tried, shortly after you got back from Costa Rica.

Mr. BELISLE. Right.

Senator HRUSKA. Now, Mr. Witness, in your testimony on July 29 this question was asked you:

"Do you have any information with respect to the tapping of the telephone of Mr. Otto Otepka, Chief of the Division of Evaluations of the Department of State?"

Mr. BELISLE. Right.

Senator HRUSKA. The answer was "No, sir."

The CHAIRMAN. Now, wait a minute. Was that a truthful answer?

Senator HRUSKA. Was that a truthful answer?

Mr. BELISLE. I have to say, sir, in my judgment that was a truthful answer and I based that on the fact that I did not feel that I had to testify to hearsay information.

Senator HRUSKA. Mr. Belisle, the question is: Do you have any information with respect to it? It doesn't mean firsthand, secondhand, thirdhand, or any other kind. The question was plain: Do you have any information with respect to the tapping of that telephone? Now, Mr. Belisle, do you want to sit there and tell us that in your best judgment at that time you did not have any information on it?

Mr. BELISLE. Sir, I am not saying that. I am saying that in my—

The CHAIRMAN. Was your answer truthful now?

Mr. BELISLE. In my own judgment I said that I felt that, inasmuch as I did not have any firsthand information, that I could answer the question, "No."

Senator HRUSKA. That is not what you said. You said, "No, sir."

Mr. BELISLE. That is right.

Senator HRUSKA. Let me ask you this question: Did you, on July 29, 1963, have any information with respect to the tapping of the telephone of Mr. Otto Otepka, the Chief of the Division of Evaluations of the Department of State?

Mr. BELISLE. I had no firsthand information, sir. I had information—

Senator HRUSKA. What information did you have at that time?

Mr. BELISLE. I had information that was told to me by Mr. Reilly that they tried to do it and that fizzled.

Senator HRUSKA. Well—

Senator DIRKSEN. That is information.

Senator HRUSKA. The next question was "Do you know whether this was done?"

And the answer was: "No, I do not."

Mr. BELISLE. Right.

Senator HRUSKA. Is that a truthful answer in your judgment?

Mr. BELISLE. In my judgment I felt that I—as I said before, this being hearsay information, I do not know that this was done. I still do not know that this was done.

Mr. SOURWINE. Do you doubt Mr. Reilly's statement?

Mr. BELISLE. No, I do not.

Mr. SOURWINE. Do you think it was done?

Mr. BELISLE. I do not know, but it was a question—

The CHAIRMAN. That is not the question. He asked him if he had information. He said he didn't.

Senator DODD. Are you a lawyer?

Mr. BELISLE. No, sir; I am not.

Senator DODD. You don't really know what hearsay is, technically?

Mr. BELISLE. No, sir. Except—

The CHAIRMAN. But you did have information, didn't you?

Mr. BELISLE. I had information which, in my judgment, was hearsay.

Senator HRUSKA. Now then, let me ask you this question as of now: Did you know, on July 29, 1963, that a listening device had been placed in Mr. Otepka's office?

Mr. BELISLE. Well, let me say that, when you are talking about listening device, I think everybody has his own interpretation of it. I understood Mr. Sourwine to say did I place a listening device in his office. I answered "No." Did I know if it had been done, and I took Mr. Sourwine to mean was there a microphone placed in his office, and I said "No."

Senator HRUSKA. Mr. Belisle, perhaps you might have thought a microphone was involved but the plain question was whether you knew a listening device had been placed in Mr. Otepka's office. That was the plain question. It didn't say "microphone." It said a "listening device."

The CHAIRMAN. Did he have knowledge of a listening device.

Senator HRUSKA. And did you know if this was done. My question then is this: Did you know, on July 29, 1963, that a listening device had been placed in Mr. Otepka's office?

Mr. BELISLE. As I say again, Senator, I had no firsthand knowledge and that is why I answered—

Senator HRUSKA. Had you been told at that time that a listening device had been placed?

Mr. BELISLE. No. I had been told that they had tried it and it didn't work, and a listening—

Senator HRUSKA. Who told you?

Mr. BELISLE. A listening device? No.

Senator HRUSKA. Who told you?

Mr. BELISLE. Mr. Reilly.

Senator HRUSKA. If you read a newspaper account of an event, would you consider the text of that news article information on that subject?

Mr. BELISLE. Yes.

Senator HRUSKA. Suppose the reporter, instead of having communicated his account of that event in print in the newspaper, would step up to you and describe that event. Would you consider that to be information?

Mr. BELISLE. Yes. I would consider it to be information, I suppose.

Senator HRUSKA. And yet you don't feel that when this question was asked you: "Do you have any information with respect to the tapping of the telephone of Mr. Otepka?" you don't feel that what Mr. Reilly had told you about all of this wiretap business, you don't feel that that was information?

Mr. BELISLE. Senator, I can only say that I answered that question in my own judgment. I felt this was hearsay information and I did not have firsthand knowledge of it, so therefore I answered it as I did.

Senator HRUSKA. Of course, Mr. Belisle, you didn't say: "No, sir, no firsthand information." Your answer said, "No, sir."

Mr. BELISLE. Right.

Senator HRUSKA. And you knew at that time, didn't you, that the committee was trying to get information of any kind about it and that is what the question was that was put to you; did you not?

Mr. BELISLE. I knew; yes, sir.

Senator HRUSKA. You knew that.

The CHAIRMAN. And you knew you were withholding information from this committee; did you not?

Mr. BELISLE. Sir, I did not feel I was withholding information. As I said before, I did not—it was my considered judgment that this was hearsay information and therefore I could not answer—

The CHAIRMAN. Of course, that is a pre-text. You know better than that.

Mr. BELISLE. Sir?

The CHAIRMAN. That is an excuse. You know better than that.

Mr. BELISLE. That was my judgment, sir. Senator KEATING. Had you ever taken an oath before in any proceeding?

Mr. BELISLE. Yes, sir.

Senator KEATING. Do you know the nature of that oath?

Mr. BELISLE. Yes, sir.

Senator KEATING. Do you know a part of that oath is that you will tell the whole truth?

Mr. BELISLE. Yes, sir.

Senator HRUSKA. Did you consider that you had told the whole truth in answer to the question: "Do you have any information with respect to the tapping of Mr. Otepka's telephone?"

Mr. BELISLE. Senator, in my judgment, I felt I had answered the question truthfully. That is all I can say. This was my considered judgment and I answered it that way.

Mr. SOURWINE. Do you still feel that way?

Mr. BELISLE. I still feel that this was hearsay information, of which I had no firsthand knowledge, and I answered your question, what I considered to be truthful.

Mr. SOURWINE. I take it, then, that you feel you have nothing to apologize to the committee—

Mr. BELISLE. Listen, I apologized to the committee. I apologized to the State Department for all of the newspaper publicity. I apologized to my family and everything else. But—

The CHAIRMAN. Why do you apologize?

Mr. BELISLE. Well, I apologize for getting them, getting all the publicity and I apologized to the committee for—

The CHAIRMAN. Wasn't it because you didn't tell the truth to this committee? Wasn't that the reason?

Mr. BELISLE. I apologized to them for having—to you people for thinking that I misled you, to the State Department for getting bad publicity as a result of my testimony, and to my family also.

Mr. SOURWINE. Do you yourself feel that you have any culpability, Mr. Belisle?

Mr. BELISLE. No, sir.

Senator DIRKSEN. Any what?

Mr. SOURWINE. Culpability.

Mr. BELISLE. No, sir.

Senator DODD. Let me ask you a question. Before you testified before this committee, were you briefed or did you receive any

instructions from anybody or any advice or were any suggestions made to you?

Mr. BELISLE. No, sir.

Senator DODD. None at all.

Mr. BELISLE. I got—the only advice I got was from Mr. Crockett and that is: "Well, you have to go down there and tell the truth."

Senator SCOTT. Were you so advised prior to your testimony of July 29, 1963?

Mr. BELISLE. Yes, sir.

Senator SCOTT. Mr. Belisle, a further question which was put to you was, first, whether you had any information with respect to the tapping of the telephone, and you said, "No, sir." The next question by Mr. Sourwine was, "Do you know whether this was done?"

Your answer, Mr. Belisle, was "No; I do not." And now you have said, and said in your letter, that in fact you had discussed it on your return from Costa Rica with Mr. Reilly.

Now, if that is the case, then what you said before the committee on the 29th of July 1963, was not true. Is that not a fact?

Mr. BELISLE. No, sir. I don't believe that, sir. I did not know it was done.

Senator SCOTT. Didn't you say in your subsequent letter that Mr. Reilly told you it was done?

Mr. BELISLE. Yes, sir; I have.

Mr. SOURWINE. You are taking the position, are you, that you don't know anything unless you yourself participated in it or saw it happen.

Mr. BELISLE. This is the position I take; yes, sir.

Senator SCOTT. You were, of course, actually covering your superior, Mr. Reilly, were you not, in this testimony of the 29th of July?

Mr. BELISLE. Covering him?

Senator SCOTT. Yes, because you had had a conversation with Mr. Reilly in which he told you that there had been this tap of the telephone. Nevertheless you said here you did not know. Your answer was, "No; I do not." You did not know whether this was done. This would mean, then, that when your superior makes a statement of fact to you, your answer to it indicates that you do not believe the statement of fact, and therefore are you saying here now that Mr. Reilly was not telling you the truth or that you mistrusted him or that you refused to accept as factual the statement made by your superior?

Mr. BELISLE. No, sir.

Senator SCOTT. Then what are you saying?

Mr. BELISLE. I am saying as I said before that I, in my own considered judgment, I could answer the question and did answer the question that I thought truthfully because I had no firsthand knowledge of this information—

Senator SCOTT. You didn't tell the committee you had no firsthand knowledge.

Mr. BELISLE. No, sir; I didn't.

Senator SCOTT. To you, then, the only kind of knowledge, the only concept you have of the word knowledge is something you see happening; is that right?

Mr. BELISLE. Something that I can testify to; yes, sir.

Senator SCOTT. In other words, you wouldn't have any knowledge that Pearl Harbor occurred because you weren't in Honolulu at that time; is that right? Would you carry it to that extreme, and if you would not, tell us why not.

Mr. BELISLE. Well—

Senator HRUSKA. Would the Senator yield? Senator SCOTT. I would like to get an answer to that.

Mr. BELISLE. Well, I would say I would only know what I read in the papers.

Senator SCOTT. Just as you would only know what Mr. Reilly told you.

Mr. BELISLE. Right, sir.

Senator SCOTT. And had you been asked anything about Pearl Harbor that you read

in the papers, you would have commented on it, would you not?

Mr. BELISLE. Well, certain things you believe in and you don't know but you believe. Senator SCOTT. Don't you believe in Mr. Reilly?

Mr. BELISLE. Sure, I believe in Mr. Reilly. Senator SCOTT. I yield.

Senator HRUSKA. You would in that event, in the instance of Pearl Harbor, you would have had information about Pearl Harbor, would you not have?

Mr. BELISLE. Yes, sir. But I wouldn't have had firsthand knowledge but I would have had information.

Senator HRUSKA. Yes.

Senator KEATING. In retrospect, Mr. Belisle, when you said you had no information on this subject, don't you think it would have been better to explain what you meant by that, at that time?

Mr. BELISLE. In retrospect I think it would have been much better.

Mr. SOURWINE. You went to college, didn't you?

Mr. BELISLE. No, sir.

Senator MCCLELLAN. You know now that your answers were completely evasive, don't you, of what the committee wanted to get? You were trying to be evasive and trying to withhold the information the committee wanted.

Mr. BELISLE. Senator, I say again I did not; in my considered judgment, I did not think they were evasive.

Senator MCCLELLAN. You don't consider them not evasive? You mean to—

Mr. BELISLE. No.

Senator MCCLELLAN (continuing). You mean to sit there now and say to this committee that the answers—you gave under oath to tell the truth and the whole truth—you mean to say now they were not evasive?

Mr. BELISLE. Well, I think you can interpret—

Senator MCCLELLAN. How do you interpret them as of this minute?

Mr. BELISLE. As of this minute, as I said, not having had firsthand information. I still feel that I answered your questions correctly, sir.

Senator MCCLELLAN. You say your answers were not evasive of the truth?

Mr. BELISLE. Well, evasive of the truth. Senator MCCLELLAN. Yes. Plain, straight, evasive of the truth.

Mr. BELISLE. I don't think so; no, sir.

Senator HRUSKA. The question was "any information." It wasn't "firsthand" information and it was plain English. It said did you have any information. Can you still sit there and tell this committee that, in your considered judgment, you were telling the truth when you answered "No, sir"?

Mr. BELISLE. Senator, I said in my considered judgment I did not have firsthand information of it, and therefore that is why I answered it that way.

Senator HRUSKA. Mr. Chairman, I think that explanation is an affront to this whole committee.

The CHAIRMAN. It is.

Mr. BELISLE. I am sorry, sir.

* * * * *
TESTIMONY OF THOMAS EHRLICH, OFFICE OF
LEGAL ADVISER, DEPARTMENT OF STATE
* * * * *

Mr. SOURWINE. Do you mean the committee to understand—do you want the committee to understand that you received instructions indirectly from the Secretary of State through Mr. Ball in a matter of this importance and proceeded to act on those instructions without the knowledge or consent of your superior, Mr. Abram Chayes?

Mr. EHRLICH. Well, perhaps I should explain why this is so.

Mr. SOURWINE. It is so, is it?

Mr. EHRLICH. Yes. I was not acting under the instructions of Mr. Chayes. Mr. Chayes

knew that I was working for Mr. Ball and I think it probably is more accurate to say that I was working for Mr. Ball rather than directly for the Secretary, at least it was through Mr. Ball.

Shortly—at some point after the committee's memorandum—10-page memorandum—was received by the Secretary, Mr. Ball asked me to look into the general—the matters that were covered in that memorandum, for him directly, and not with Mr. Chayes, in other words, that I was to be detailed to work for Mr. Ball.

Mr. SOURWINE. I see. And did you do this?

Mr. EHRLICH. Yes; I did.

Mr. SOURWINE. What conclusion did you reach with respect to those matters?

Mr. EHRLICH. Well, there were 10 pages of matters and all of them frankly, the purpose of my doing this was to work with the Secretary in preparing his statement, his testimony before you, I believe it was 3 weeks ago.

Mr. SOURWINE. Did you reach any conclusion as to whether any of the statements in that 10-page memorandum were false or misleading or in any way untrue?

Mr. EHRLICH. Well, I reached a number of conclusions about them. I frankly would have to see the statements before I could comment about them.

Mr. SOURWINE. Did you find any of the statements in that 10-page statement which in your judgment were untrue or misleading?

Mr. EHRLICH. Yes; I did.

Mr. SOURWINE. Did you convey this impression to Mr. Ball?

Mr. EHRLICH. Yes; and I prepared—yes, I did, and to the Secretary.

Mr. SOURWINE. And to the Secretary.

Senator DODD. You are referring to the memorandum which you and I put to the Secretary in writing?

Mr. SOURWINE. Yes, sir.

Did you convey this in writing?

Mr. EHRLICH. I gave the Secretary part of my judgments in writing and part orally.

Mr. SOURWINE. And did the Secretary then, to you or to Mr. Ball in your presence, indicate that he favored the writing of such statements or that he wished to see this done?

Mr. EHRLICH. That he did wish to see statements prepared.

Mr. SOURWINE. So that thereafter when you conveyed to Mr. Bellale and Mr. Reilly and Mr. Hill the Secretary's desire that this be done, you were conveying to them something that you had yourself heard the Secretary express as his wish.

Mr. EHRLICH. No, because—I don't mean a flat no. I mean that the time the Secretary—I remember hearing the Secretary discuss this—was several days before the 5th. The time, the day of the 5th I don't—as I remember it, I don't know that I talked to the Secretary about this.

Mr. SOURWINE. Then the Secretary's expression with respect to the desire that clarifying or amplifying or correcting statements be made was expressed to Mr. Ball in your presence at a time several days prior to the colloquy on the floor between Senator DODD and Senator THURMOND.

Mr. EHRLICH. Yes.

Mr. SOURWINE. I have just one more question. Was a copy of each of these letters or any one of them furnished to the Secretary of State or sent to his Office?

Mr. EHRLICH. He, I know, saw them. I don't think he read them. In other words, he saw the papers. I don't think he read them over, though, before they came to the committee.

Mr. SOURWINE. Did he see them after they were signed or before?

Mr. EHRLICH. After they were signed.

Mr. SOURWINE. After they had been signed. How did he see them? Did you show them to him?

Mr. EHRLICH. No. I believe Mr. Ball did.

Mr. SOURWINE. Mr. Ball took them to the Secretary?

Mr. EHRLICH. Yes.

Mr. SOURWINE. Were you present at the time?

Mr. EHRLICH. Yes, I was.

Mr. SOURWINE. And did Mr. Ball hand them to the Secretary?

Mr. EHRLICH. Yes.

Mr. SOURWINE. Did he look at them?

Mr. EHRLICH. He glanced at them. I don't think he read them carefully.

Mr. SOURWINE. Did he look at them one by one or did he just look at the top one?

Mr. EHRLICH. I honestly don't remember other than it is my best recollection that he did not at least read one through carefully.

Mr. SOURWINE. But you do know that Mr. Ball handed them to him.

Mr. EHRLICH. Yes.

Mr. SOURWINE. He had them in his hand and he was told what they were, is that right?

Mr. EHRLICH. Yes.

Mr. SOURWINE. He knew what they were.

Mr. EHRLICH. Yes.

Mr. SOURWINE. And then he handed them back. What did he say?

Mr. EHRLICH. I don't remember that he said anything.

Mr. SOURWINE. Well, did he indicate that it was all right, go ahead, send the letters?

Mr. EHRLICH. Yes.

Mr. MILLER. Mr. President, the record reveals that the Secretary of State has received some of the information disclosed before the Internal Security Subcommittee, and that the Under Secretary received at least as much and probably more. No one knows the extent of the information they received, but it is understandable that in their busy positions, they would not have taken the time to minutely go over the entire record. However, this matter has gone so far that I am afraid it is going to be necessary for them to do so. I have already indicated what action I believe should be taken by the Secretary regarding the emergency security clearances.

And what of Mr. Otto Otepka, the 47-year-old career civil servant who in 1953 was named an evaluator in the State Department Security Division and who was awarded the highest honor of the State Department for his accomplishments as Deputy Head of the Division?

It appears that he provided information to the Senate Internal Security Subcommittee relating to the relaxed security clearance policy and procedures in the State Department. There may well have been others who did so, but his information was formally recorded before the subcommittee. First, it was reported that he would be fired. Then he was reported to have been suspended. Then it was reported that he would be retained but moved out of the Security Division. His eventual fate will be decided by the Secretary of State, who has directed a special investigation by former Ambassador Flake and Colonel French.

I am advised that the proceedings within the Department with respect to Mr. Otepka will not be made public, although it is possible that the record thereof will be released to the public to the extent security matters permit. I

should judge that the vital matters surrounding Mr. Otepka's activities would not involve such matters insofar as alleged violation on his part of State Department regulations are concerned.

But, regardless of State Department regulations, if a situation becomes so serious with respect to our security procedures in the Department that Mr. Otepka or anyone else feels compelled to come to a duly authorized subcommittee of Congress to report the situation, I would say that he has performed a service to the people who are paying the bill, to his country, and to his conscience. This is not to say that there should be frivolous action on the part of employees in the State Department, or other agencies, running to Congress over the least little thing. But someone of Mr. Otepka's stature certainly makes it a prima facie case that what he was doing was anything but frivolous. The fact that security in the Department was involved indicates that the matter was anything but frivolous.

All of us will be carefully awaiting developments. The reputation of the State Department hangs in the balance. And, I might add, anyone who gets the idea that Mr. Otepka must be punished as a matter of saving face for the Department will be seriously mistaken, in view of the record that has already been made.

Mr. President, I ask unanimous consent that articles on the Otepka case published in the Des Moines Register for December 21, 25, and 28, 1963, and the Washington Post for January 7, 1964, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Des Moines Register, Dec. 21, 1963]

OFFICIALS SAY OTEPKA WILL REGAIN POST

(By Clark Mollenhoff)

WASHINGTON, D.C.—High-level State Department officials said Friday that former chief security evaluator Otto Otepka will be reinstated, and charges against him will be dropped.

The decision of the State Department was a result of a White House suggestion after a meeting this week in which Senator THOMAS DODD, Democrat, of Connecticut, emphasized demands that Otepka be rehired.

The White House assured the Senate Judiciary Committee a week ago that Otepka would be reinstated. However, the State Department has denied there were any plans.

WANTED PUNISHMENT

State Department officials had opposed the suggestions that Otepka be rehired, and reiterated the belief that he should be punished for having given classified information to a congressional committee without clearing with his superiors.

Senator DODD convinced the White House that the Johnson administration would be headed for deep trouble if it did not take a strong hand and reinstate Otepka.

Representative WILLIAM CRAMER, Republican of Florida, told the House Rusk and Deputy Under Secretary William Crockett were engaged in an effort to oust Otepka for telling the truth to a congressional committee and for producing records to substantiate the truth of his statements.

HIS CAREER

Otepka, a 47-year-old career civil servant, in 1953 was named an evaluator in the State Department Security Division.

His work was regarded as outstanding during the Eisenhower administration, and in 1958 he was awarded the Department's highest honor for his accomplishments as a deputy head of the Division.

Although he believed in high security standards, Otepka opposed arbitrary security decisions that were not supported by evidence. It was Otepka who cleared Wolf Ladejinsky in 1954, when some persons in the State Department and Agriculture Department sought to label Ladejinsky as a security risk.

At the outset of the Kennedy administration, Otepka got along well with his superiors. He was offered an assignment for special training at the War College.

DIFFER ON STANDARDS

In 1962 friction developed between Otepka and one of his superiors. Otepka believed the security standards should be retained at the same level. Some of his superiors believed the standards established under the Eisenhower administration were unreasonably high.

One point of controversy was the "emergency clearance procedure" that allowed the Secretary of State to grant security clearances without a full-scale investigation.

This emergency clearance was used only five or six times in the entire Eisenhower administration, but it was used more than 150 times in the first 2 years under Secretary Rusk.

[From the Des Moines Register, Dec. 25, 1963]

RUSK INSISTS HE HANDLES OTEPKA CASE

(By Clark Mollenhoff)

WASHINGTON, D.C.—Secretary of State Dean Rusk is personally responsible for the details of the handling of the Otepka case since October 5, he said Tuesday.

The Secretary said he has read all of the testimony made available to the State Department relative to "untruthful" testimony of three high State Department officials.

Under sharp pressure from Congress, Rusk forced the resignation of Deputy Assistant Secretary John F. Reilly and Elmer D. Hill, a special assistant to Reilly.

SPECIAL CASES

David Belisle, chief assistant to Reilly, has been removed from any overall responsibility in the State Department security division, and has been working on special security cases, the State Department reported Tuesday.

Rusk said he did not rely on subordinates to analyze the information on the handling of the Otepka case and the activities of Reilly, Hill, and Belisle. He said transcripts of all testimony and other information was sent to him personally, and was read by him.

Secretary Rusk said he had approved letters Reilly, Hill, and Belisle sent to the Senate Internal Security Subcommittee November 6, 1963, to clarify their testimony of late July and early August.

In that testimony all three denied knowledge that wiretaps had been attached to the telephone of Chief Security Evaluator Otto Otepka.

NOVEMBER 6 LETTERS

Their November 6 letters admitted knowledge that a listening device was placed on Otepka's telephone for 3 days, from March 18 through March 20, 1963.

However, the letters denied knowledge of any other incidents that might be considered an effort to use a listening device on Otepka's telephone or to place a listening device in his office.

Since receiving those letters, the Internal Security Subcommittee has taken further testimony from Hill in which he admitted that there was further wiretapping of Otepka at Reilly's direction, and that an actual recording was made of the conversations.

Hill has testified that he turned these recordings over to some other State Department officials at Reilly's direction. The State Department admits that Hill has changed his story and has stated that recordings were made, but contends there is still no evidence that knowledge of these recordings went to the Assistant Secretary of State or above.

DETAILS FROM DODD

Secretary Rusk contends that he had no knowledge of the basic allegations of "untruthful statements" by Reilly, Hill, and Belisle until October 5, 1963, when a memorandum from the Senate Judiciary Committee was delivered to him in New York where he was attending a U.N. session.

Subcommittee Vice Chairman THOMAS DODD, Democrat, of Connecticut, delivered the letter to Rusk and explained the problem.

ORIGINAL STORY

Last July 9, Committee Counsel Jay Sourwine asked Hill:

"Did you ever have anything to do with placing a listening device in Mr. Otepka's office?"

Hill: "No, sir."

Sourwine: "Did you have any knowledge of it, if it was done?"

Hill: "No, sir."

REVISED VERSION

On November 6, Hill wrote to the Senate Internal Security Committee that on March 18, Reilly asked him to explore the possibility of eavesdropping on conversations in Otepka's office. He said he discussed it with Clarence J. Schneider, chief of technical operation branch, and that they decided they could install a listening device in Otepka's telephone. Hill added:

"Mr. Schneider and I tested the system and found we would be unable to overhear conversations in Mr. Otepka's office, except actual telephone conversations, because electrical interference produced a loud buzzing sound. It was never contemplated that an attempt would be made just to monitor Mr. Otepka's telephone line in order to overhear conversations on it."

Hill stated that an effort was made to get some equipment to eliminate the buzzing sound, but on March 20, Reilly informed him that it would not be necessary to pursue the wiretap further because information had been obtained from Otepka's waste paper burn bag indicating he was giving State Department information to the Senate Internal Security Committee.

Hill now admits that he made a recording of conversations on Otepka's wire, and gave the recording to another man in Reilly's presence.

Reilly continues to testify under oath that no actual interceptions of conversations took place.

[From the Des Moines Register, Dec. 28, 1963]

JOB HUNTER FEARS TALK ON WIRETAP

(By Clark Mollenhoff)

WASHINGTON, D.C.—Electronics expert Elmer Dewey (Bud) Hill said Friday wiretaps were used to make several recordings of conversations on the telephone of State Department security evaluator Otto Otepka.

However, the 34-year-old former State Department technician said he did not want to discuss the details of conflicts between his story and the story of others in the State Department who deny recordings were made of Otepka's telephone conversations.

"I'm going to have to go out and get a job in private industry, and I don't want to get crosswise with the officials of the State Department," Hill said.

"I'm going to have to depend on the State Department for references, and I don't want to make things any more difficult for them than I have to under the circumstances."

COULD BE ROUGH

He said things could be pretty rough in getting another job if his testimony makes it difficult for Secretary of State Dean Rusk, Deputy Under Secretary William Crockett, or John F. Reilly, recently resigned Deputy Assistant Secretary of State in Charge of the Security Division.

"Reilly has his position to look out for; so does Crockett, and so does Secretary Rusk," Hill said. "I don't want to do anything that would put them in a more embarrassing situation."

Hill said he gave testimony last July in which he denied listening devices had been attached to Otepka's telephone because it was what the Department wanted.

CHANGED STORY

He said he has changed his story to admit the actual recording of the Otepka telephone conversations "because I felt I had to tell the truth to avoid trouble."

However, he explained that he did not want to give any explanation of his dealing with State Department officials because this may irritate them and result in bad references.

"I've told the truth to the Senate Internal Security subcommittee, and I don't want to give any more explanations unless I have consulted my lawyer," Hill said.

The transcript of the executive session testimony given by Hill has not been made public yet, but Senator THOMAS DODD, Democrat of Connecticut, has made reference to it in a Senate floor speech.

DENIED KNOWLEDGE

DODD said Reilly, Hill and David I. Belisle, an assistant to Reilly, had testified in July and August "that they knew nothing about the installation of a listening device in Mr. Otepka's office."

"Reilly and Belisle," he went on, "recalled before the committee (in mid-November), stated that none of Otepka's conversations had been overheard because of electronic difficulties."

Hill testified that tape recordings had been made of several conversations, that Reilly had expressed particular interest in one conversation, and that he had turned the tapes over to an unidentified third party at Reilly's direction.

Reilly continues to claim he had no knowledge that any recordings were made, and to deny that any recordings were ever given to him or delivered to others at his request. He and Hill resigned from the State Department.

Hill, a native of Los Angeles, Calif., received an M.A. degree from Stanford University in 1957. He had been a research associate at Stanford for more than 5 years when he was hired by the State Department in January, 1962, as electronics expert for the security division.

[From the Washington (D.C.) Post, Jan 7, 1964]

RUSK HELPED OTEPKA CASE CLARIFICATION

Secretary of State Dean Rusk intervened personally to set the record straight on sworn testimony three subordinates gave to the Senate Internal Security Subcommittee.

This was brought out yesterday when the subcommittee made public the record of a closed hearing held November 14 in its continuing investigation of State Department security practices.

Two of the subordinates, John F. Reilly and Elmer Dewey Hill, have since resigned. Reilly was Deputy Assistant Secretary of State for Security. Hill was chief of the division of technical services in the security office.

The third, David I. Belisle, who was Reilly's special assistant, is still working for the Department.

Reilly, Hill, and Belisle all swore to the subcommittee last summer that they had no

knowledge of any listening devices being installed in the office of Otto F. Otepka, veteran State Department security officer.

RIGGING ADMITTED

But in statements they submitted to the subcommittee on November 6, they acknowledged that wiring in Otepka's telephone had been rigged last March to permit eavesdropping.

Otepka, accused by the Department of unauthorized disclosure of information to the subcommittee's chief counsel, was dismissed last fall over the subcommittee's protest. He has an appeal pending.

Thomas Ehrlich of the State Department's legal office testified at the November 14 hearing that the supplemental statements of Rellly, Hill, and Belisle were submitted after Rusk said he wanted that done.

The subcommittee had called Rusk's attention to their sworn denials of the "bugging" of Otepka's phone.

J. G. Sourwine, the subcommittee's chief counsel, asked Ehrlich if he regarded the November 6 statements as "merely supplemental or clarifying or do they correct the testimony previously given?"

Ehrlich replied that the thrust of Sourwine's question as he understood it, was "whether one or more of the individuals committed perjury." He said "I could not give that legal judgment without a very, very careful answer."

GAVE THREE ASSISTANCE

Testifying that he had assisted Rellly, Hill, and Belisle in preparing the statements, Ehrlich said they were completed the night of November 5—shortly after Senator THOMAS J. DONN, Democrat, of Connecticut, had told the Senate that the subcommittee had evidence of Otepka's phone being tapped and spoke of possible perjury.

But Ehrlich emphasized that Rusk had said several days before DONN's speech that he wanted Rellly, Hill, and Belisle to submit statements amplifying their testimony to the subcommittee.

Belisle, who was the principal witness at the November 14 hearing, was asked if DONN's speech about possible perjury had anything to do with the submission of the statements within 24 hours.

"I would imagine that it did; yes, sir," Belisle replied.

SALE OF WHEAT TO RUSSIA

Mr. MILLER. Mr. President, on December 30 I remarked on the Senate floor that:

There comes a time when one feels that he must vote in protest against certain things that are taking place.

In the course of those remarks, relating to the foreign aid appropriation bill, I said that it is unthinkable for the American taxpayer to underwrite the credit and good faith of the Soviet Union to pay up bills in connection with the sale of wheat to that Communist nation. I questioned whether it would be in our national interest to do so. Recent news articles tend to bear this out. Not only is the United States underwriting the sale of wheat to the Soviet Union but, in addition, according to the Washington Evening Star of January 4 and the Wall Street Journal of January 6, the American taxpayer will pick up shipping costs in order to complete this sale. I would like to quote pertinent paragraphs in this connection. The Journal noted:

Closing of the deal in Moscow was undoubtedly aided by a U.S. decision to grant the company an abnormally large \$25 million

subsidy so it could offer higher priced American wheat at lower world quotations and also soak up some shipping costs the Russians had balked at paying.

The article was referring to the sale of about 37 million bushels of wheat by the Continental Grain Co. of New York to the Soviet Union.

Apparently, our good will extends only to the Soviet Union, not to our friends. I quote the last paragraph of that Journal article:

Underlining the abnormally big subsidy on the Durum destined for Russia is the fact that on December 30 the Department refused to pay a 59-cent subsidy on 110,000 bushels and on Friday refused to pay 73 cents on 37,333 bushels. These smaller export deals were for Durum to be exported to free world destinations.

I have long maintained that the wheat sale—as the Waterloo, Iowa, Courier, noted in an editorial on December 22—should either be conducted on a cash basis or canceled. This makes sense in view of the fact that practically every report indicates that the Soviets need this wheat in order to stifle grumblings on the shortages arising from a disastrous grain harvest. This situation is vividly portrayed in an interpretative report by Bernard Gwertzman in the Washington Evening Star of January 6.

But, Mr. President, more is involved here than that. The American public not only is not receiving the full story but it is being deceived or misled.

I should like to quote from these articles to emphasize what I mean.

From the Washington Evening Star of January 4:

One Department official questioned about the possibility that the Durum subsidy included both an export and a transportation subsidy denied flatly that there was a transportation subsidy. But another said the Department does not contend that no indirect transportation subsidy is involved.

The Department referred to here is the Department of Agriculture.

Now I should like to quote from an article appearing in today's New York Times:

Secretary of Commerce Luther H. Hodges said today that the price of Durum wheat sold to the Soviet Union by a private trader last week had been specially arranged by the Government to offset part of the cost of shipping.

Mr. Hodges freely discussed this aspect of the arrangement at a press conference. The point was specifically denied by Agriculture Department officials last week.

Mr. Hodges said he was not familiar with every detail of the transaction. But he said: "It is my understanding that the price of some of the wheat was set so the seller would be able to absorb part of the shipping cost."

Agriculture officials had flatly denied that the large subsidy was in any way an attempt to offset shipping costs. They said they would have approved a 72-cent subsidy on any transaction as large as the Russian sale "regardless of the country of destination."

I believe this speaks for itself. There is an old saying in newspaper circles that a correction never catches up with the original story. And I am afraid that this is what is occurring in this wheat sale, with the administration giving out only what it wants the public to believe. I feel that it is about time the American

people receive the full and accurate story on these wheat transactions.

The lack of good faith of the Soviet Union is more than sufficiently demonstrated in its failure to meet its United Nations obligations. In yesterday's Washington Post appeared an article by Louis B. Fleming that the Soviet Union is one of 26 U.N. members facing voting loss as the result of being in arrears in assessments. Mr. Fleming points out that latest statistics show that the largest debt is that of the Soviet Union—\$61 million—almost half of the \$134 million deficit with which the U.N. ended the year 1963. It will be interesting to see whether the U.N. voting rights will be suspended for the Soviet Union and the other nations because of failure to pay their just debts in accordance with the U.N. Charter as interpreted by the World Court.

If the Soviet Union is planning to undermine the United Nations, it could not have selected a better course. The Des Moines, Iowa, Register underscores the implications in an editorial of December 26. Let me quote from that editorial:

The U.S. position is that nobody needs to do anything or vote on the question. If Russia has not paid up by the time of the first rollcall at the next session, Russia has automatically lost its vote and its name should be passed on the rollcall. The wording of article 19 seems to support this argument.

However, a ruling by the presiding officer would be required. He will be elected next fall, the representative of some small, reasonably neutral country. His responsibility will be a heavy one on this issue, and he may find it expedient to rule that the Assembly must vote on enforcement of article 19. This is a vote that might well fail to carry, and the results then would be serious for the future of the U.N.

I would say that the results would be disastrous for the members of the U.N. would have decided to not live up to the U.N. charter.

Regardless of this outcome, it is clear that some method must be devised to prevent the United Nations from continually facing these financial crises. As the Wall Street Journal noted in a perceptive article on December 30.

In time, it's conceivable that the cumulative effect of such deficits could bring the U.N. to a point where it couldn't meet such current obligations as payroll and other housekeeping expenses.

Then it adds what is becoming too evident to the American taxpayer:

But past history suggests some way will be found to prop it up.

Let me continue to quote:

In effect, that's what has happened already. Even the bond issue, though a loan, was actually a device for permitting the United States and other countries to meet the expenses for peacekeeping which the Soviets and others refused to pay.

After next year, the article continues:

The U.N.'s financial future could depend on whether the world body can miraculously achieve a unity of purpose that has previously eluded it. Failing that, it can still survive if its angels—particularly the U.S. Government—are content to go on paying more than their share of the bills.